

**Introduced by Committee on Governmental Organization
(Senators Vincent (Chair), Cedillo, Chesbro, Dunn, Johnson,
Karnette, Machado, Margett, Morrow, and Soto)**

February 21, 2003

An act relating to state property.

LEGISLATIVE COUNSEL'S DIGEST

SB 856, as introduced, Committee on Governmental Organization. State property.

Existing law requires the Department of General Services to perform various functions and duties with respect to state property.

This bill would authorize the Director of General Services to sell, exchange, lease, or transfer unspecified parcels of state property. The bill would exempt the sale, exchange, lease, or transfer of the parcels from specified provisions of the California Environmental Quality Act. The bill would require that the net proceeds be deposited in the General Fund, as provided, and would require the reservation of mineral rights, as specified.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. (a) The Director of General Services, with the
- 2 approval of the State Public Works Board, may sell, exchange, or
- 3 lease, for current market value or for any lesser consideration
- 4 authorized by law and upon those terms and conditions and subject
- 5 to those reservations and exceptions as the Director of General

1 Services determines are in the best interests of the state, all or any
2 part of the following real property:

3 Parcel 1: ____.

4 Parcel 2: ____.

5 SEC. 2. (a) A notice of each public auction or bid opening
6 shall be posted on the property to be sold under this act and shall
7 be published in a newspaper of general circulation published in the
8 county in which the real property to be sold is situated.

9 (b) Any sale, exchange, lease, or transfer of the parcels
10 described in this act is exempt from Chapter 3 (commencing with
11 Section 21100) to Chapter 6 (commencing with Section 21165),
12 inclusive, of Division 13 of the Public Resources Code.

13 SEC. 3. (a) The Department of General Services shall be
14 reimbursed for any cost or expense incurred in the disposition of
15 any parcels described in this act.

16 (b) The net proceeds of any moneys received from the
17 disposition of any parcels described in this act shall be deposited
18 in the General Fund and be available for appropriation in
19 accordance with Section 15863 of the Government Code.

20 SEC. 4. (a) As to any property sold pursuant to this act
21 consisting of 15 acres or less, the Director of General Services
22 shall except and reserve to the state all mineral deposits, as defined
23 in Section 6407 of the Public Resources Code, below a depth of
24 500 feet, without surface rights of entry.

25 (b) As to property sold pursuant to this act consisting of more
26 than 15 acres, the Director of General Services shall except and
27 reserve to the state all mineral deposits, as defined in Section 6407
28 of the Public Resources Code, together with the right to prospect
29 for, mine, and remove the deposits. The rights to prospect for,
30 mine, and remove the deposits shall be limited to those areas of the
31 property conveyed that the director, after consultation with the
32 State Lands Commission, determines to be reasonably necessary
33 for the removal of the deposits.

